REMARKS

Applicant has received the Office Action dated May 14, 2010, in which the Examiner: 1) objected to claims 1, 8,[1] 35, and 36; and 2) rejected claims 1-36 under 35 U.S.C. § 112 ¶ 2 as being allegedly indefinite.

With this Response, Applicant has amended claims 1, 6, 8-11, 18, 23, 27, 28, and 33-36. With these amendments and the remarks presented below Applicant respectfully submits that all claims are in condition for allowance.

I. OBJECTIONS TO THE CLAIMS

Line 12 of claims 1 and 18 has been amended to recite "the outgoing message" rather than "the message." Applicant notes that the recitation "the message" was unambiguous because "the message" necessarily referred back "an outgoing message" as the only possible antecedent. The Examiner's suggested amendment has been implemented to expedite prosecution of the application.

The recitation "the message" of claims 35 and 36 has not been changed because the recitation "the message" clearly refers to the antecedent recitation "a message" in claims 35 and 36. Therefore, Applicant is unable to ascertain the Examiner's reason for objecting to claims 35 and 36.

Applicant respectfully requests that the objections to claims 1, 18, 35, and 36 be withdrawn.

II. REJECTIONS UNDER 35 U.S.C. § 112 ¶ 2

A. Claim 1

Line 13 of claim 1 has been amended to recite "the obtained context information" rather than "the context information." Though not required by the Examiner, for consistency with claim 1, claims 6, 8, and 9 have also been amended to recited "the obtained context information."

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[1] Applicant assumes the Examiner intended to list claim 18 rather than claim 8, as claim 8 does not include the term "message."

The Examiner inquired as to the purpose of "the response having the same context information contained in the message." *Office Action*, p. 4 (May 14, 2010). The specification explains at page 11, lines 6-10:

> In this way, the context data does not need to be stored locally at the HA node since response messages will, where context data has previously been stored, include the context field containing context data to enable the protocol stack to be re-initialized in the event of a switchover.

In contrast, note the explanation given for reinitialization using locally stored data at page 6 line 29 to page 7 line 6 of the specification.

Applicant respectfully submits that the amendments to claims 1, 6, 8, and 9 satisfy the Examiner's antecedent basis concern, and requests that the rejection of claims 1-9 under 35 U.S.C. § 112 ¶ 2 be withdrawn.

B.   Claim 10

Claim 10 has been amended to recite "the obtained context information" rather than "the obtained context data" and "the context data," thereby obtaining proper antecedent basis. Applicant respectfully requests that the rejection of claim 10 under 35 U.S.C. § 112 ¶ 2 be withdrawn.

C.   Claim 11

Line 1 of claim 11 has been amended to recite "context information" rather than "the context information." Lines 7-8 of claim 11 have been amended to recite "determining . . . the presence, within the message, of context information relevant to the layer" rather than "determining . . . the presence of context information relevant to the layer within the message." Lines 10-11 of claim 11 have been amended to recite "restoring . . . the context information of the layer using the context information within the message" rather than "restoring . . . the context of the layer using context information from the message."

Applicant respectfully submits that the amendments to claim 11 satisfy the Examiner's antecedent basis and clarity concerns, and requests that the rejection of claims 11-17 under 35 U.S.C. § 112 ¶ 2 be withdrawn.

D.   Claim 12

Applicant is unable to ascertain whether the Examiner intended to reject claim 12 on grounds additional to those applied to claim 11, as the Examiner failed to clearly state such a rejection. However, the Examiner did inquire as to the meaning of "determining whether context information is to be restored based on the same context information, which has not yet been restored." *Office Action*, p. 5 (May 14, 2010).

Claim 12 recites "determining . . . whether the context information of the layer is to be restored based in part on the context information of the layer and in part on the received message." Clear explanation of the "determining" being based on the context information of the layer and the received message can be found at least at page 10, lines 14-33 of the specification.

E.   Claim 18

Line 13 of claim 18 has been amended to recite "the obtained context information" rather than "the context information." Though not required by the Examiner, for consistency with claim 18, claim 23 has also been amended to recite "the obtained context information." Applicant respectfully submits that the amendments to claims 18 and 23 satisfy the Examiner's antecedent basis concern, and requests that the rejection of claims 18-26 under 35 U.S.C. § 112 ¶ 2 be withdrawn.[2]

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[2] Applicant assumes that the Examiner intended to state that "claims 19-26 are rejected as being dependent upon a rejected base claim," namely claim 18, rather than "namely claim 11," as claims 19-26 do not depend from claim 11. *Office Action*, p. 5 (May 14, 2010).

F.   Claim 27

Claim 27 has been amended to recite "the obtained context information" rather than "the obtained context data" and "the context data," thereby obtaining proper antecedent basis. Applicant respectfully requests that the rejection of claim 27 under 35 U.S.C. § 112 ¶ 2 be withdrawn.

G.   Claim 28

Line 1 of claim 28 has been amended to recite "context information" rather than "the context information." Lines 6-7 of claim 28 have been amended to recite "determining . . . the presence, within the message, of context information relevant to the layer" rather than "determining . . . the presence of context information relevant to the layer within the message." Lines 8-9 of claim 28 have been amended to recite "restoring . . . the context information of the layer using the context information within the message" rather than "restoring . . . the context of the layer using context information from the message."

Applicant respectfully submits that the amendments to claim 28 satisfy the Examiner's antecedent basis and clarity concerns, and requests that the rejection of claims 28-34 under 35 U.S.C. § 112 ¶ 2 be withdrawn.

H.   Claim 29

The Examiner stated that "[c]laim 29 is rejected for the same reason set forth in the rejection of claim 12 above." However, as noted above with regard to claim 12, Applicant is unable to identify any specific rejection applied to claim 12. If the Examiner intended to assert a specific rejection with regard to claims 12 and 29, Applicant respectfully requests clarification thereof. Otherwise, Applicant respectfully refers the Examiner to the explanation above regarding the clarity of claim 12.

I.   Claim 35

Lines 8-9 of claim 35 have been amended to recite "the obtained context information" rather than "context information." Applicant respectfully submits that the amendment to claim 35 satisfies the Examiner's antecedent basis concern,

and requests that the rejection of claim 35 under 35 U.S.C. § 112 ¶ 2 be withdrawn.

J. Claim 36

Line 1 of claim 36 has been amended to recite "context information" rather than "the context information." Lines 7-8 of claim 36 have been amended to recite "determining . . . the presence, within the message, of context information relevant to the layer" rather than "determining . . . the presence of context information relevant to the layer within the message." Lines 10-11 of claim 36 have been amended to recite "restoring . . . the context information of the layer using the context information within the message" rather than "restoring . . . the context of the layer using context information from the message."

Applicant respectfully submits that the amendments to claim 36 satisfy the Examiner's antecedent basis and clarity concerns, and requests that the rejection of claim 35 under 35 U.S.C. § 112 ¶ 2 be withdrawn.

III. OTHER CLAIM AMENDMENTS

A. Claim 1

Claim 1 has been amended for purposes of clarification. The phrase "the response is receive from the destination node" at the end of the claim has been deleted, and the phrase "received from the destination node" has been inserted following "such that a response."

B. Claims 33 and 34

Though not required by the Examiner, for consistency with claim 28, claims 33 and 34 have been amended to recite "restoring the context information of the layer" rather than "restoring the context."

IV. CONCLUSION

In the course of the foregoing discussions, Applicant may have at times referred to claim limitations in shorthand fashion, or may have focused on a particular claim element. This discussion should not be interpreted to mean that the other limitations can be ignored or dismissed. The claims must be viewed as a whole, and each limitation of the claims must be considered when determining

the patentability of the claims. Moreover, it should be understood that there may be other distinctions between the claims and the cited art which have yet to be raised, but which may be raised in the future.

Applicant respectfully requests reconsideration and that a timely Notice of Allowance be issued in this case. It is believed that no extensions of time or fees are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required (including fees for net addition of claims) are hereby authorized to be charged to Hewlett-Packard Development Company's Deposit Account No. 08-2025.

Respectfully submitted,

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